



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,532	02/19/2002	Hiroshi Tsunoda	020191	1666

38834 7590 03/14/2007
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER

CHOWDHURY, NIGAR

ART UNIT	PAPER NUMBER
----------	--------------

2621

MAIL DATE	DELIVERY MODE
-----------	---------------

03/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/076,532

Applicant(s)

TSUNODA, HIROSHI

Examiner

Nigar Chowdhury

Art Unit

2621

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 February 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: 11.
Claim(s) objected to: 3.
Claim(s) rejected: 2,4-7,10 and 12-15.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See attachment.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed on 02/20/2007 have been fully considered but they are not persuasive.

In re pages 11-12, applicant argues that Okada does not disclose "compressing the image signal into a second size which is equal to or smaller than $1/n$ of the first size, where the first size is the size of a unit recording zone", recited in claim 1. Applicant noted that Okada simply appear to disclose image compression, but not "into a second size which is equal to or smaller than $1/N$ of the first size",

In response, the examiner respectfully disagrees. Okada discloses in Col. 3 lines 17-27, that "in the recording mode, the DSP 22 reduces a photographed image to $1/n$ according to the change in n can be changed". Image can be compressed in to second size of $1/n$ by DSP which reduce/enlarge the image signal output from the image pickup processing unit 16.

In re pages 11-12, applicant argues that "The examiner appears to be focusing on the compression requirement, but not compressing the image signal into a specific size, namely smaller than $1/N$ of the first size". In response to that the examiner respectfully disagrees. Okada discloses a specific size $1/n$ to compress the image signal, and Okada also disclose that n can be changed for compression purpose. Applicant also noted that in the preamble it stated "a plurality of unit recording zones each of which has a first size". A plurality of unit recording zone is a area of the disk to

Art Unit: 2621

hold the frame size of the video signal without the compression or encoded signal output from the image pickup processing. Recording zone can store images without compressing (without using DSP) and also can store images after compressing (using DSP) into second size.

In re pages 12-13, applicant argues that Okada does not disclose the feature of "said recorder includes a searcher for searching unit recording zones each of which is in a vacant state...", recited in claim 2.

In response, the examiner respectfully disagrees. Okada discloses in Col. 4 lines 10-12, that "When the recording/reproduction memory 20, and resets its internal counter m to 0 (S2)" and Col. 4 lines 36-44, that "When the images in the second area is to be recorded on the magnetic disc.....ID signal is recorded at the same time...photographed images". Okada discloses ID information with image information. User can easily search recording zone through ID to find out the information to retrieve or to record information after that if the area is vacant. Applicant argues that "the Examiner may be considering the "user" to be the "searcher"", in response to that the examiner stated that searcher is not a user, "searcher" is a ID information which includes in a recorder for searching the recording zone.

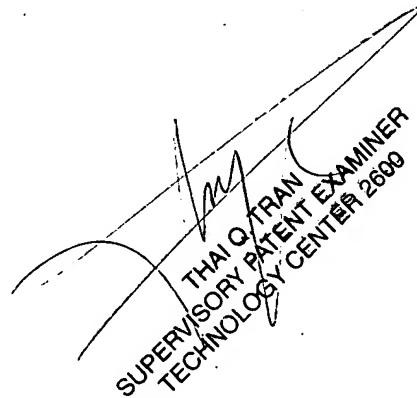
In re page 14, applicant argues that Okada fails to disclose "a holder for holding a recording medium on which a plurality of unit recording zones each of which has a first size are formed..", as recited in claim 9.

In response, the examiner respectfully disagrees. Okada disclose a recording apparatus 32 in fig. 1. A plurality of unit recording zone is a area of the disk to hold the

Art Unit: 2621

frame size of the video signal without the compression or encoded signal output from the image pickup processing (first size).

In pages 13-14, applicant argues that Okada does not disclose any "restorer for restoring said link [information]", recited in claims 3 and 11. In response, the examiner respectfully agrees. Okada fails to disclose restoring link, therefore, dependent claim 3 and independent claim 11 are allowable over prior art.


THAI O. TRAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600